

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JULIA POWELL KELLER-MCINTYRE,

No. C-06-3209 MMC

Plaintiff,

**ORDER DENYING MOTION TO CANCEL
ADR PHONE CONFERENCE**

v.

SAN FRANCISCO STATE UNIVERSITY,

Defendant

Before the Court is plaintiff Julia Powell Keller-McIntyre's motion, filed August 10, 2006, to cancel the ADR telephone conference scheduled for August 16, 2006. Plaintiff has failed to show good cause for the requested cancellation.

In particular, although plaintiff contends, without citation to a declaration, that she recently was "threatened with a car accident," she submits no evidence that she suffered any injuries as a result thereof, much less injuries significant enough to preclude her from being able to participate in the telephone conference. Plaintiff's ability to prepare the instant motion strongly suggests that she is capable of participating in the telephone conference.

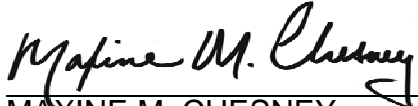
Additionally, plaintiff contends, without citation to authority, that the telephone conference should be cancelled because the damages sought in the instant lawsuit are in excess of ADR limits. Plaintiff may be referring to 28 U.S.C. § 654, which precludes the district court from referring a case to court-sponsored arbitration where "the relief sought

1 consists of money damages in an amount greater than \$150,000.” See 28 U.S.C. § 654.
2 Section 654 does not bar the district court from requiring the parties in such a case to
3 participate in other alternative dispute resolution procedures, however, such as early
4 neutral evaluation, mediation, or a settlement conference before a magistrate judge.
5 Indeed, the district court “shall . . . require that litigants in all civil cases consider the use of
6 an alternative dispute resolution procedure at an appropriate stage in the litigation.” See 28
7 U.S.C. § 652(a) (emphasis added).

8 Accordingly, the motion is hereby DENIED.

9 **IT IS SO ORDERED.**

10 Dated: August 10, 2006


MAXINE M. CHESNEY
United States District Judge